THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12172 of 2007

18.6.2007

Between:

Chintala sudhakar, S/o.Chintala Allaiah

… Petitioner

AND

The Panchayat Secretary, Gram Panchayat, Nayudupeta, Nellore District

… Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12172 of 2007

ORDER:

The respondent Gram Panchayat conducted auction on 24.3.2006 for leasing out shops in Smt.Indira Gandhi Shopping Complex belonging to the Gram Panchayat. Petitioner participated and became highest bidder for obtaining lease for a period of three years from 01.4.2006 to 31.3.2009. Respondent issued notice calling upon the petitioner to deposit various amounts as per the conditions of lease. The petitioner allegedly complied with all formalities and obtained possession of shop No.1. It is alleged that on 03.5.2007 respondent visited the shop and on 04.5.2007 seized the shop along with other provisions. These are kept in the office of the Gram Panchayat. When the petitioner approached the respondent he was informed that the articles are seized as amounts are due to the Gram Panchayat. The petitioner alleges that he is willing to pay arrears of amount. Therefore he prayed for a writ of Mandamus directing the respondent to release articles and provisions seized from the shop by imposing any condition as is deemed fit by the respondent.

The relief prayed is somewhat peculiar. When the petitioner is willing to pay amounts as demanded by the Gram Panchayat nothing prevents him to approach the first respondent and then the District Panchayat Officer for such redressal. In the absence of full particulars, it is not possible to give any direction to the respondent especially when the shop and articles were seized on allegation that the amounts are due from the petitioner. The petitioner has to seek necessary redressal from the respondent himself. In this writ petition no relief can be granted to the petitioner.

The writ petition is accordingly dismissed. No costs.

(**V.V.S.RAO, J**)

June 18, 2007.

YS